



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street
New York, New York 10007*

December 15, 2022

By ECF:

The Honorable Jennifer L. Rochon
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl St.
New York, NY 10007-1312

The request is GRANTED. Defendant's deadline to respond to the Complaint is adjourned without date. IT IS HEREBY ORDERED that the parties shall update the Court as to the status of this case, and propose next steps in this litigation, no later than **January 20, 2023**.

Dated: December 15, 2022
New York, New York

SO ORDERED

Jennifer Rochon
JENNIFER L. ROCHON
United States District Judge

Re: *Rickner PLLC v. Federal Bureau of Prisons*, No. 22 Civ. 9943 (JLR)

Dear Judge Rochon:

This Office represents the Federal Bureau of Prisons, the defendant agency in this Freedom of Information Act action. Jointly with plaintiff's counsel, we write as required by the Court's December 1, 2022 order, ECF No. 7, to address "whether there is any need for discovery or an initial conference in this case," and if not, to propose a "briefing schedule for any motions, including any motions for summary judgment."

The parties agree that neither discovery nor an initial conference is required at this time. Yesterday, on December 14, the BOP made a production to plaintiff of approximately 35 pages of records responsive to the FOIA request, with redactions for certain FOIA exemptions. Plaintiff is now reviewing those pages. After that review, the parties plan to confer about any issues plaintiff may raise regarding BOP's search and production to see if these issues can be resolved without further judicial intervention. We respectfully submit that it would be premature to propose a briefing schedule prior to this review and conferral, and respectfully request an adjournment of the Court's order to propose a briefing schedule by approximately one month. This would permit plaintiff to review the records and allow the parties some time to discuss any issues.

Because the parties are working to resolve this matter without judicial involvement, we respectfully request as follows: (1) that the government's time to answer or otherwise respond to the complaint be adjourned without date; (2) that the initial conference also be adjourned without date; and (3) that the parties be required to provide the Court with a written status update in approximately one month, or by January 20, 2023. If by January 20 the parties have reached an impasse, we propose that the parties' joint January 20 letter would propose a briefing schedule.

We thank the Court for its attention to this matter.

Respectfully,

RICKNER PLLC

By: /s/ Stephanie Panousieris

14 Wall Street
New York, New York 10005
(212) 300-6506
stephanie@ricknerpllc.com

Counsel for Plaintiffs

DAMIAN WILLIAMS

United States Attorney for the
Southern District of New York

By: /s/ Peter Aronoff

PETER ARONOFF
Assistant United States Attorney
Telephone: (212) 637-2697
Facsimile: (212) 637-2717
E-mail: peter.aronoff@usdoj.gov

Counsel for Defendant